

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

MARY CALHOUN )  
 )  
 Plaintiff, )  
 )  
 v. ) Civil Action No.  
 )  
 UNITED STATES POSTAL SERVICE, ) 04-10210-DPW  
 )  
 Defendant. )  
 )

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**JOINT RULE 16.1 STATEMENT**

The parties in this action submit the following Joint Statement pursuant to Local Rule 16.1 and the Court's Order of July 18, 2002:

1. **Proposed Discovery Plan:**

- a. Automatic disclosure statements and discovery shall be served on or before May 15, 2004, pursuant to the Court's Scheduling Order;
- b. All interrogatories and request for production of documents shall be served by July 15, 2004;
- c. Any Amendments pursuant to Fed. R. Civ. P. 15 shall be made by June 30, 2004;
- d. All depositions shall be completed by October 15, 2004; and
- e. A final pretrial conference shall be scheduled after decisions are rendered on any outstanding pleadings not ruled upon.

2. Number of Depositions

- a. The plaintiff intends to take written discovery and is unable to identify particular deponents at this juncture.
- b. Defendant intends to depose plaintiff and any witnesses she identifies as to her damages (the defendant may depose any fact witnesses that are no longer employees of the defendant).

Since no discovery has yet occurred, the parties cannot identify possible deponents with greater specificity at this time.

2. Consent to Trial By Magistrate

- a. The plaintiff does not consent to a trial by magistrate in this case.
- b. The defendant does not consent to a trial by magistrate in this case.

3. Proposed Schedule for Motions

- a. All dispositive motions are to be filed by November 15, 2004.

4. Designation of Experts

- a. Expert witnesses shall be identified by the parties by July 15, 2004.
- b. If necessary, the opposing party shall have one month after July 15, 2004 in which to obtain an expert.
- c. If necessary, expert interrogatories shall be served within one month following the opposing

party's disclosure of expert witnesses.

5. Final PreTrial Conference

a. The Final Pretrial Conference will be scheduled by the Court following all hearings on dispositive motions.

Respectfully submitted,

MARY CALHOUN

UNITED STATES POSTAL SERVICE,  
By its Attorneys,

MICHAEL J. SULLIVAN  
United States Attorney

*Richard Weiner*  
Richard Weiner, Esq.  
Ellis & Ellis  
33 Pleasant Street  
Boston, MA 01545

with  
permission  
3/21/04

*Christopher Alberto*  
Christopher Alberto  
Assistant U.S. Attorney  
1 Courthouse Way, Suite 9200  
(617) 748-3311

CERTIFICATE OF SERVICE

Suffolk, ss.

Boston, Massachusetts  
March 4, 2004

I, Christopher Alberto, Assistant United States Attorney, do hereby certify that I have served a copy of the foregoing upon plaintiff's counsel of record, Richard Weiner, Esq., Ellis & Ellis, 33 Pleasant Street, Boston, MA 01545

*Christopher Alberto*  
Christopher Alberto  
Assistant U.S. Attorney

LOCAL RULE 7.1 CERTIFICATION

I, Christopher Alberto, Assistant United States Attorney, do hereby state that on March 18, 2004, I received confirmation from Attorney Richard Weiner that he agreed with this 7.1 Joint Statement and that he had no changes.

*Christopher Alberto*  
Christopher Alberto  
Assistant U.S. Attorney